



DEPARTMENT OF THE ARMY
HEADQUARTERS, 18TH MILITARY POLICE BRIGADE
MANNHEIM, GERMANY APO AE 09058

AETV-MP-H

4 August 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum #17 – UCMJ Authority Withheld to Brigade Commander

1. References:

- a. 21st TSC Regulation 27-10, dated 6 December 1997.
- b. USAREUR Regulation 27-10, dated 23 January 2001.
- c. Army Regulation 27-10, dated 16 November 2005.

2. APPLICABILITY: This policy applies to all units and activities under the special court-martial convening authority of Headquarters, 18th Military Police Brigade.

3. POLICY:

a. In accordance with reference (a.) above, the Commanding General, 21st Theater Support Command, has withheld authority to impose nonjudicial punishment on senior noncommissioned officers (enlisted soldiers in the grades of E7, E8 and E9). Additionally, the Commanding General, 21st TSC, has withheld authority, to convene courts-martial for the trial of officers or warrant officers.

b. The authority to dispose of misconduct is withheld to the following commanders based on the grade of the offender and the type of offense committed.

(1) Commander, HQ, 18th MP BDE:

- a.) All Misconduct by sergeants first class, master sergeants, first sergeants, sergeants-major, warrant officers and officers when authority for deposition has been delegated by the Commanding General, 21st TSC.
- b.) Sexual assaults.

(2) Battalion Commanders:

- a.) Misconduct by staff sergeants.
- b.) Assaults, sexual harassment and fraternization.

- c.) Alcohol or drug related offenses.
- d.) Absence Without Leave (AWOL) or Desertion.

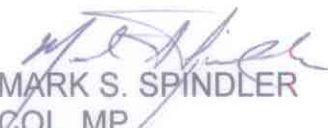
4. Company commanders will conduct a brief preliminary inquiry when any of their soldiers are involved in alleged misconduct involving assault, alcohol, drugs, or sexual misconduct. The 18th Military Police Brigade Trial Counsel will assist with these inquiries. The results of these inquiries will be routed through the Battalion Commander to the Commander, 18th Military Police Brigade within 48 hours of the offense. This report may be submitted via email. At a minimum the report should provide the following details regarding the incident: who, what, when, where, how, and why.

5. The Commander, 18th Military Police Brigade will consult with subordinate commanders before taking action on cases withheld to his authority. The Commander, 18th Military Police Brigade may delegate to subordinate commanders the authority to take action on any of the offenses or ranks withheld to his authority. Subordinate commanders may request that a specific case be returned to that commander for appropriate action. This withholding of authority includes the authority to impose non-judicial punishment, initiate courts-martial, and to initiate administrative separation actions without the approval of the withholding commander.

6. POC for this policy is the 18th Military Police Brigade Judge Advocate at 381-7584.

7. This policy remains in effect until superseded or rescinded.

8. Ever Vigilant!


MARK S. SPINDLER
COL, MP
Commanding

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